IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 38353 of 2003(N)

PETITIONERS:

1. M.V.VINOD KUMAR,
MANCHARI VALAPPIL, (P.O) IRIMBLIYAN,
VALANCHERY, MALAPPURAM DISTRICT.
CANAL WATCHMAN CUM PUMP OPERATOR
IN MI SECTION, MINOR IRRIGATION, KUTTIPURAM.

2. P.MUHAMMED IQBAL,
PALAPETTY HOUSE, (P.O) PADAPALLY,
MALAPPURAM DISTRICT
CANAL WATCHMAN CUM PUMP OPERATOR
IN MI SECTION, MINOR IRRIGATION, KUTTIPURAM.

3. V.SIDHARTHAN,
VIRUTHIYIL HOUSE, (P.O) PALLAPRAM,
PONNANI TALUK, MALAPPURAM DISTRICT
CANAL WATCHMAN CUM PUMP OPERATOR
IN MI SECTION, MINOR IRRIGATION, KUTTIPURAM.

4. A.V.VELU,
AVOTIEM VEETTIL, P.O. KANHIRAMUKKU,
MALAPPURAM DISTRICT
CANAL WATCHMAN CUM PUMP OPERATOR
IN MI SECTION, MINOR IRRIGATION, KUTTIPURAM.

5. K.BABU,
KUTTOTH HOUSE, (P.O) ELATHOOR, KOZHIKODE DISTRICT
CANAL WATCHMAN CUM PUMP OPERATOR
IN MI SECTION, MINOR IRRIGATION, KUTTIPURAM.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENTS:
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1. THE EXECUTIVE ENGINEER,
   MINOR IRRIGATION DIVISION, MALAPPURAM DIST.

2. THE ASSISTANT EXECUTIVE ENGINEER,
   MINOR IRRIGATION SUB DIVISION, KUTTIPURAM,
   MALAPPURAM DISTRICT.

3. THE ASSISTANT ENGINEER,
   M.I. SECTION, MINOR IRRIGATION, KUTTIPURAM,
   MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 38353/2003 N

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LIST CONTAINING THESERVICE DETAILS OF CANAL WATCHMAN IN MI SUB DIVISION, KUTTIPURAM ISSUED BY R2.

EXT.P2. COPY OF THE LIST OF CLR WORKERS UNDER THE R3.

EXT.P3. COPY OF THE ORDER OF THIS COURT IN CMP NO. 34306/96 IN OP NO. 513/96 DT. 17/1/97.

EXT.P4. COPY OF THE LETTER NO. C5/ 27112/96 DT. 14/2/97 OF THE CHIEF ENGINEER, IRRIGATION AND ADMINISTRATION, TRIVANDRUM TO THE R1.

EXT.P5. COPY OF THE PETITION FILED BY THE PETITIONER DT. 26/2/2003.

EXT.P6. COPY OF THE JUDGMENT OF THE HIGH COURT IN OP NO. 5764/2003.

EXT.P7. COPY OF THE LETTER NO. E3. 1088/92 DT. 27/8/2003 OF THE R1.

True copy

tga

KURIAN JOSEPH, J.

W.P(C)No.38353 of 2003

Dated this the 16th day of March, 2007

JUDGMENT

Petitioners claim that they are entitled for wages at the rate of Rs.50/- per day from 1-9-1992 to 29-1-1997. In the counter affidavit it is stated that the petitioners were not working as pump operators and hence they are not entitled to the said rate of wages. They were actually working only as Canal Watchmen and payment has been made accordingly. Thus there is no merit in the writ petition. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.